

REMARKS

This is a full and timely response to the outstanding final Office Action mailed June 10, 2009. Through this response, claims 7-9, 11-15, 17-18, 25, 29-30, 43-47, 95-98, and 130 have been amended, claims 5-6, 10, 99-101, and 129 have been canceled without prejudice, waiver, or disclaimer, and claims 131-133 have been added without the introduction of new matter. Support for the claim amendments may be found in Applicant's specification as originally filed at least on pages 8, 9, 16, 20, and 24-29. Applicant respectfully requests entry of the amendments herein and reconsideration of all pending claims.

I. Claim Rejections - 35 U.S.C. § 103(a)

A. Statement of the Rejection

1. Claims 5-14, 16-20, 39-47, 95-101, and 129 have been rejected under 35 U.S.C. 103(a) as allegedly unpatentable over *Payton* (U.S. 5,790,935) in view of *Norwood* (U.S. 5,983,316), *Tsukidate et al.* ("*Tsukidate*," U.S. 6,507,950), *Schein et al.* ("*Schein*," U.S. 6,002,394), and *Ellis et al.* ("*Ellis*," U.S. 6,928,653).
2. Claims 49-51 and 53-57 have been rejected under 35 U.S.C. 103(a) as allegedly unpatentable over *Payton*, *Norwood*, *Tsukidate*, *Schein*, and *Ellis*, and further in view of *Dougherty et al.* ("*Dougherty*," U.S. 7,028,327).
3. Claims 15, 23-30, 32-38, and 48 have been rejected under 35 U.S.C. 103(a) as allegedly unpatentable over *Payton*, *Norwood*, *Tsukidate*, *Schein*, and *Ellis*, and further in view of *Daniels* (U.S. 6,973,669).
4. Claim 130 has been rejected under 35 U.S.C. 103(a) as allegedly unpatentable over *Tsukidate* in view of *Norwood* and *Ellis*.

Applicant respectfully submits that the rejection to these claims has been rendered moot by amendment, and further that the claims as amended are allowable over the art of record.

B. Discussion of the Rejection

The U.S. Patent and Trademark Office (“USPTO”) has the burden under section 103 to establish a *prima facie* case of obviousness according to the factual inquiries expressed in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966). The four factual inquiries, also expressed in MPEP 2100-116, are as follows:

- (A) Determining the scope and contents of the prior art;
- (B) Ascertaining the differences between the prior art and the claims in issue;
- (C) Resolving the level of ordinary skill in the pertinent art; and
- (D) Evaluating evidence of secondary considerations.

Applicant respectfully submits that a *prima facie* case of obviousness is not established using the art of record.

1. Claims 5-14, 16-20, 39-47, 95-101, and 129 – *Payton, Norwood, Tsukidate, Schein, and Ellis*

Independent Claim 39

Claim 39 recites (with emphasis added):

39. A digital home communication terminal (DHCT) comprising:
a memory that stores executable instruction sequences; and
a processor that executes the stored executable instruction sequences,
the stored executable instruction sequences including:
an electronic programming guide (EPG) application that provides user access to EPG information, ***the EPG application configured to generate for display an EPG comprising a grid of broadcast media content instance titles and a scheduled broadcast start time for each of the media content instance titles, the EPG application further configured to provide a base service comprising the media content instance titles corresponding to a first period and each respective scheduled broadcast start time, the EPG application further configured to provide an extended service that provides additional information in the EPG, the extended service dormant until activated in direct response to detection of a connected local storage device,*** the EPG information comprising the base service and the extended service;

a dual mode file system that provides a common interface to both the local storage device and a remotely located storage device; wherein the EPG application further includes:
instructions that are capable of determining **whether a local storage device is physically connected and not physically connected to the DHCT; instructions that use the dual mode file system to retrieve the EPG information from the remotely located storage device in cooperation with a carousel-type server** and store the EPG information in the memory, responsive to determining that the local storage device is not physically connected to the DHCT; and
instructions that use the dual mode file system to retrieve the EPG information from the remotely located storage device in cooperation with the carousel-type server and store the EPG information in the local storage device, responsive to determining that the local storage device is physically connected to the DHCT.

Applicant respectfully submits that the amendments to claim 39 render the rejection moot. In addition, Applicant respectfully submits that *Payton* in view of *Norwood*, *Tsukidate*, *Schein*, and *Ellis* fails to disclose, teach, or suggest at least the above-emphasized features. The final Office Action alleges (page 2) that *Payton* discloses an EPG application that provides user access to EPG information. In addition, the final Office Action (page 26) alleges the following in relevant part (emphasis in original):

...*Payton* discloses wherein the list (44) is a listing of available on-demand **programs, electronically** generated and displayed on a television to **guide** the viewer...this clearly meets the claim limitation of an EPG (electronic program guide).

Applicant respectfully disagrees with this over-reaching interpretation. Applicant is unaware of any EPG, as that term is understood to those having ordinary skill in the art, that omits broadcast television titles from the guide, unlike *Payton* (see, e.g., column 8, lines 40-46, *Payton*). In addition, the interpretation proffered by the final Official Action is inconsistent with Applicant's specification (e.g., see figure 5, and corresponding description), which is contrary to Federal case law. As admitted in the final Office Action, the content for which the list 44 is provided in *Payton* indeed is on-demand programs, as previously alleged by Applicant. To the

extent *Payton* is relied upon for allegedly teaching an EPG (see page 2 and 26, final Office Action), the amendments to claim 39 also further distinguishes from *Payton*.

As to *Norwood*, Applicants respectfully submit that *Norwood* does not disclose or suggest ***whether a local storage device is physically connected and not physically connected to the DHCT***, as recited in amended claim 39. In other words, it does not appear that there is any provision in *Norwood* for whether the storage devices are connected or not, but rather, merely whether they are up, down, busy, unknown, or suspect (see, e.g., cols. 5-6, *Norwood*). To the extent *Norwood* is relied upon for allegedly teaching storage device monitoring features, Applicant respectfully submits that claim 39 as amended is allowable over *Norwood*.

Further, despite the argument to the contrary set forth on page 27 of the final Office Action, Applicant maintains that the combination of *Norwood* and *Payton*, or *Payton* and any non-analogous art yet to be cited that allegedly comprises detection/monitoring of local storage device activity, is not obvious. The final Office Action (page 27) cites *In re Oetiker*, and alleges the following in relevant part:

In this case, *Payton* discloses a computerized system for managing storage of content across a plurality of devices and locations...*Norwood* discloses a computerized system for monitoring a plurality of connected storage devices...so as to identify which devices are/aren't functional, and which stored copies of content are available...

Applicant's specification (page 1) notes the need for "flexible mechanisms that enable efficient use of various types of DHCTs." Clearly, only a single type of local server is disclosed in *Payton* (one with local storage, assuming *arguendo* this server is to constitute the equivalent to the claimed DHCT). Equally clear is that there is no hint or suggestion of a need to monitor the existence of the storage 56 of *Payton*, which is not un-expected given that there appears to be an underlying presumption in *Payton* of an environment with only a single type of device (with storage), and none without storage.

On the other hand, there is no hint of a DHCT for a network subscriber television system in *Norwood*. That fact coupled with the disparity in U.S. classifications (between *Payton* and *Norwood*) would reasonably tend to bolster the argument that *Norwood* and *Payton* are non-analogous art. Further, as to allegedly addressing the particular problem by which Applicant is concerned, *Norwood* also discloses a consistency in the type of devices - i.e., a node with coupled storage devices (see, e.g., Figure 1). In fact, there does not appear to be any node where there are no storage devices, albeit perhaps inactive. Additionally, *Norwood* appears to be concerned with monitoring the storage devices in each storage pool to satisfy a need of not wasting I/O slots (see, e.g., col. 2, lines 4-17, *Norwood*). Hence, it is unclear what "problem" of Applicant that *Norwood* and *Payton* allegedly seeks to resolve, because clearly, it is not one involving the variety of DHCTs in a system. For at least the reasons expressed above, Applicant respectfully submits that the combination of *Payton* and *Norwood* is not obvious, and represents an improper combination. To the extent the rejection to claim 39 relies upon the combination of *Payton* and *Norwood*, Applicant respectfully submits that a *prima facie* case of obviousness has not been established for at least the reason that the combination of *Payton* and *Norwood* is improper.

Addressing the cited art directed to claim 39 as a whole as directed to the above-emphasized features, Applicant respectfully submits that a *prima facie* case of obviousness is not presented. The fact that *Payton* allegedly uses both remote and local storage for such bandwidth consuming processes as VOD does not readily extend to EPG data, nor does this fact circumvent the reality that only a single type of local device is disclosed in *Payton*. Indeed, reviewing the art of record cited for claim 39, *Ellis* reasonably suggests to one having ordinary skill in the art that local storage is not needed for guide data in view of the fact that no local storage outside of memory is used for the entire guide data. *Tsukidate*, on the other hand, uses local storage and memory, but also appears to use a single type of subscriber device (one with local storage and memory - i.e., none without storage appears to be anticipated), and does not

suggest the need for monitoring the local storage connectivity or basing the manner of retrieval from remote storage based on the connectivity to a local storage device. Indeed, using the techniques described in claim 39 would render the solution (e.g., sending all the guide data from a remote location but extracting only minimal data for immediate display as disclosed in, for example, col. 2 of *Tsukidate*) provided in *Tsukidate* obsolete – i.e., alter the principle of operation, which is prohibited in an obviousness combination.

Further, newly added to claim 39 are the features that the EPG has base and extended services, and that the extended features of the EPG application are **dormant** until activated in response to the detection of the local storage device. This new addition to claim 39 is not found in the cited art of record directed to claim 39. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Additionally, with regard to the newly added feature of a **carousel-type server** utilized in the provision of EPG information from a remote location, as recited in amended claim 39, Applicant respectfully submits that the cited art of record directed to claim 39 fails to disclose these features. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Because independent claim 39 is allowable over *Payton* in view of *Norwood*, *Tsukidate*, *Schein*, and *Ellis*, dependent claims 7-9, 11-14, 16-20, and 40-47 are allowable as a matter of law for at least the reason that the dependent claims 7-9, 11-14, 16-20, and 40-47 contain all elements of their respective base claim. See, e.g., *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988).

Independent Claim 95

Claim 95 recites (with emphasis added):

95. A method in a digital home communication terminal (DHCT) comprising the steps of:

determining whether a local storage device is physically connected and not physically connected to the DHCT;

responsive to determining that the local storage device is not physically connected to the DHCT, retrieving from a remote storage device in cooperation with a carousel-type server a base service EPG information and storing base service EPG information in a memory residing in the DHCT, the base service EPG information comprising media content instance titles and a scheduled broadcast start time for each of the media content instance titles;

responsive to determining that the local storage device is physically connected to the DHCT, activating a previously dormant portion of an EPG application that provides an extended service, retrieving from the remote storage device in cooperation with the carousel-type server the base service EPG information and an extended service EPG information, and storing the extended service EPG information in the local storage device and the base service EPG information in the memory, the extended service EPG information comprising information supplemental to the base service EPG information yet unavailable for extended local storage prior to the activation; and

presenting the base service and extended service EPG information to a display device responsive to a user request, the extended service EPG information provided from the remote storage device proximal in time to the user request if the local storage is not connected, otherwise the extended service EPG information is provided from the local storage without intervention of the remote storage device.

Applicant respectfully submits that the amendments to claim 95 render the rejection moot. In addition, Applicant respectfully submits that *Payton* in view of *Norwood*, *Tsukidate*, *Schein*, and *Ellis* fails to disclose, teach, or suggest at least the above-emphasized features. The final Office Action alleges (page 2) that *Payton* discloses an EPG application that provides user access to EPG information. In addition, the final Office Action (page 26) alleges the following in relevant part (emphasis in original):

...*Payton* discloses wherein the list (44) is a listing of available on-demand ***programs, electronically*** generated and displayed on a television to ***guide*** the viewer...this clearly meets the claim limitation of an EPG (electronic program guide).

Applicant respectfully disagrees with this over-reaching interpretation. Applicant is unaware of any EPG, as that term is understood to those having ordinary skill in the art, that omits broadcast television titles from the guide, unlike *Payton* (see, e.g., column 8, lines 40-46, *Payton*). In addition, the interpretation proffered by the final Official Action is inconsistent with Applicant's specification (e.g., see figure 5, and corresponding description), which is contrary to Federal case law. As admitted in the final Office Action, the content for which the list 44 is provided in *Payton* indeed is on-demand programs, as previously alleged by Applicant. To the extent *Payton* is relied upon for allegedly teaching an EPG (see page 2 and 26, final Office Action), the amendments to claim 95 also further distinguishes from *Payton*.

As to *Norwood*, Applicants respectfully submit that *Norwood* does not disclose or suggest **determining whether a local storage device is physically connected and not physically connected to the DHCT**, as recited in amended claim 95. In other words, it does not appear that there is any provision in *Norwood* for whether the storage devices are connected or not, but rather, merely whether they are up, down, busy, unknown, or suspect (see, e.g., cols. 5-6, *Norwood*). To the extent *Norwood* is relied upon for allegedly teaching storage device monitoring features, Applicant respectfully submits that claim 95 as amended is allowable over *Norwood*.

Further, despite the argument to the contrary set forth on page 27 of the final Office Action, Applicant maintains that the combination of *Norwood* and *Payton*, or *Payton* and any non-analogous art yet to be cited that allegedly comprises detection/monitoring of local storage device activity, is not obvious. The final Office Action (page 27) cites *In re Oetiker*, and alleges the following in relevant part:

In this case, *Payton* discloses a computerized system for managing storage of content across a plurality of devices and locations...*Norwood* discloses a computerized system for monitoring a plurality of connected storage devices...so as to identify which devices are/aren't functional, and which stored copies of content are available...

Applicant's specification (page 1) notes the need for "flexible mechanisms that enable efficient use of various types of DHCTs." Clearly, only a single type of local server is disclosed in *Payton* (one with local storage, assuming *arguendo* this server is to constitute the equivalent to the claimed DHCT). Equally clear is that there is no hint or suggestion of a need to monitor the existence of the storage 56 of *Payton*, which is not un-expected given that there appears to be an underlying presumption in *Payton* of an environment with only a single type of device (with storage), and none without storage.

On the other hand, there is no hint of a DHCT for a network subscriber television system in *Norwood*. That fact coupled with the disparity in U.S. classifications (between *Payton* and *Norwood*) would reasonably tend to bolster the argument that *Norwood* and *Payton* are non-analogous art. Further, as to allegedly addressing the particular problem by which Applicant is concerned, *Norwood* also discloses a consistency in the type of devices - i.e., a node with coupled storage devices (see, e.g., Figure 1). In fact, there does not appear to be any node where there are no storage devices, albeit perhaps inactive. Additionally, *Norwood* appears to be concerned with monitoring the storage devices in each storage pool to satisfy a need of not wasting I/O slots (see, e.g., col. 2, lines 4-17, *Norwood*). Hence, it is unclear as to what "problem" of Applicant that *Norwood* and *Payton* allegedly seeks to resolve, because clearly, it is not one involving the variety of DHCTs in a system. For at least the reasons expressed above, Applicant respectfully submits that the combination of *Payton* and *Norwood* is not obvious, and represents an improper combination. To the extent the rejection to claim 95 relies upon the combination of *Payton* and *Norwood*, Applicant respectfully submits that a *prima facie* case of obviousness has not been established for at least the reason that the combination of *Payton* and *Norwood* is improper.

Addressing the cited art directed to claim 95 as a whole as directed to the above-emphasized features, Applicant respectfully submits that a *prima facie* case of obviousness is

not presented. The fact that *Payton* allegedly uses both remote and local storage for such bandwidth consuming processes as VOD does not readily extend to EPG data, nor does this fact circumvent the reality that only a single type of local device is disclosed in *Payton*. Indeed, reviewing the art of record cited for claim 95, *Ellis* reasonably suggests to one having ordinary skill in the art that local storage is not needed for guide data in view of the fact that no local storage outside of memory is used for the entire guide data. *Tsukidate*, on the other hand, uses local storage and memory, but also appears to use a single type of subscriber device (one with local storage and memory – i.e., none without storage appears to be anticipated), and does not suggest the need for monitoring the local storage connectivity or basing the manner of retrieval from remote storage based on the connectivity to a local storage device. Indeed, using the techniques described in claim 95 would render the solution (e.g., sending all the guide data from a remote location but extracting only minimal data for immediate display as disclosed in, for example, col. 2 of *Tsukidate*) provided in *Tsukidate* obsolete – i.e., alter the principle of operation, which is prohibited in an obviousness combination.

Further, newly added to claim 95 are the features of ***activating a previously dormant portion of an EPG application that provides an extended service, the extended service EPG information comprising information supplemental to the base service EPG information yet unavailable for extended local storage prior to the activation, carousel-type server, and presenting the base service and extended service EPG information to a display device responsive to a user request, the extended service EPG information provided from the remote storage device proximal in time to the user request if the local storage is not connected, otherwise the extended service EPG information is provided from the local storage without intervention of the remote storage device.*** These new additions to claim 95 are not found in the cited art of record directed to claim 95. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Because independent claim 95 is allowable over *Payton* in view of *Norwood*, *Tsukidate*, *Schein*, and *Ellis*, dependent claims 96-98 are allowable as a matter of law.

2. Claims 49-51 and 53-57 -*Payton*, *Norwood*, *Tsukidate*, *Schein*, and *Ellis*, and *Dougherty*

As set forth above, *Payton*, *Norwood*, *Tsukidate*, *Schein*, and *Ellis* fails to disclose, teach, or suggest at least the features emphasized above in independent claim 39. Applicant respectfully submits that *Dougherty* does not remedy the deficiencies of the other cited art references. For at least the reason that claim 39 is allowable over *Payton*, *Norwood*, *Tsukidate*, *Schein*, and *Ellis*, and *Dougherty*, Applicant respectfully submits that claims 49-51 and 53-57 are allowable as a matter of law. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

3. Claims 15, 23-30, 32-38, and 48 - *Payton*, *Norwood*, *Tsukidate*, *Schein*, and *Ellis*, and *Daniels*

As set forth above, *Payton*, *Norwood*, *Tsukidate*, *Schein*, and *Ellis* fails to disclose, teach, or suggest at least the features emphasized above in independent claim 39. Applicant respectfully submits that *Daniels* does not remedy the deficiencies of the other cited art references. For at least the reason that claim 39 is allowable over *Payton*, *Norwood*, *Tsukidate*, *Schein*, and *Ellis*, and *Daniels*, Applicant respectfully submits that claims 15, 23-30, 32-38, and 48 are allowable as a matter of law. Accordingly, Applicant respectfully requests that the rejection be withdrawn.

Further, although Applicant respectfully disagrees with the taking of official notice on page 23 for claim 26 and traverse the taking of official notice in view of the lack of evidence to support such a notice as required by the MPEP, it is respectfully noted that in view of the amendments to claim 39, the premise by which the notice is taken is faulty (e.g., in view of the

lack of proper combination of the references as explained above in section 1), and hence the rejection is rendered moot.

4. Claim 130 - *Tsukidate* in view of *Norwood* and *Ellis*

Claim 130 recites (with emphasis added):

130. A dual mode file method in a digital home communication terminal (DHCT) comprising the steps of:
determining that a local storage device is physically connected to the DHCT;
responsive to determining that the local storage device is physically connected to the DHCT:
retrieving, from a remotely located carousel type server first electronic programming guide (EPG) information comprising a first base EPG service and first extended EPG service, the first base EPG service comprising media content instance titles and corresponding broadcast start times for a first period of time, the first extended EPG service comprising media content instance titles and corresponding broadcast start times for a second period of time not overlapping the first period of time;
storing the first EPG information corresponding to the first base EPG service exclusively in a memory residing in the DHCT and initially storing for an extended period the first EPG information corresponding to the first extended EPG service exclusively in the local storage device;
presenting, in response to a user request for the first EPG information, the first EPG information by accessing the memory and the local storage device;
determining that the local storage device is not physically connected to the DHCT;
responsive to determining that the local storage device is not physically connected to the local storage device:
retrieving, from the carousel type server second electronic programming guide (EPG) information comprising a second base EPG service comprising media content instance titles and corresponding broadcast start times corresponding to a third period of time;
storing the second EPG information in a memory residing in the DHCT;
and
presenting the second EPG information responsive to a user request by accessing the memory for the second base EPG services and accessing, proximal in time to the user request and different in time than the retrieval and storage of the second EPG information, second extended EPG services comprising media content instance titles and corresponding broadcast start times for a fourth period of time, the fourth period of time not overlapping the third period of time.

Applicant respectfully submits that the amendments to claim 130 render the rejection moot. In addition, Applicant respectfully submits that *Tsukidate* in view of *Norwood* and *Ellis* fails to disclose, teach, or suggest at least the above-emphasized features. As to the determining features and the reliance on *Norwood*, Applicants respectfully submit that *Norwood* does not disclose or suggest at least ***determining that the local storage device is not physically connected to the DHCT***, as recited in amended claim 130. In other words, it does not appear that there is any provision in *Norwood* for whether the storage devices are connected or not, but rather, merely whether they are up, down, busy, unknown, or suspect (see, e.g., cols. 5-6, *Norwood*). To the extent *Norwood* is relied upon for allegedly teaching the determining features, Applicant respectfully submits that claim 130 as amended is allowable over *Norwood*.

Further, Applicant respectfully submits that the combination of *Norwood* and *Tsukidate* and *Ellis* is not obvious. As set forth above, *Norwood* is not analogous art, and quite disparate in disclosed systems and principles when compared to *Tsukidate* and *Ellis*. Whereas *Tsukidate* and *Ellis* are concerned with program guide systems, *Norwood* is concerned with computer and storage pool systems. Indeed, *Ellis* does not even teach a local storage device, but rather relies on a variable system memory. Based on the Federal case law of *In re Oetiker*, it is clear that each of *Tsukidate*, *Norwood*, and *Ellis* are not reasonably pertinent to Applicant's problem, since each appears to presume a single type of client device (either all with, or all without storage). Further, the principles of operation of both *Ellis* and *Tsukidate* are rendered obsolete if Applicant's claimed embodiment is utilized. For instance, the variable memory of *Ellis* need not be variable (and hence subject matter need not be compromised or downloads denied) if local storage was available, and indeed, would seem to suggest that the local storage of Applicant's claims are not needed, contrary to Applicant's disclosure. *Tsukidate's* use likewise is not obvious, since as mentioned before, the need to render a guide on a screen with extracted program guide data until the download is complete would be unnecessary with local storage of the extended services, for instance enabling transfer (for instance as dependently claimed) of

the next period or more information without dependency on an immediate download. For at least these reasons, Applicant respectfully submits that claim 130 as amended is allowable over the cited art of record directed to claim 130.

In addition, Applicant has added, through claim amendment, features not found in *Norwood* and *Tsukidate* and *Ellis*, such as **retrieving, from a remotely located carousel type server first electronic programming guide (EPG) information and storing the first EPG information corresponding to the first base EPG service exclusively in a memory residing in the DHCT and initially storing for an extended period the first EPG information corresponding to the first extended EPG service exclusively in the local storage device and presenting the second EPG information responsive to a user request by accessing the memory for the second base EPG services and accessing, proximal in time to the user request and different in time than the retrieval and storage of the second EPG information, second extended EPG services comprising media content instance titles and corresponding broadcast start times for a fourth period of time, the fourth period of time not overlapping the third period of time.** For at least these additional reasons, Applicant respectfully submits that claim 130 is allowable over *Tsukidate* in view of *Norwood* and *Ellis* and respectfully requests that the rejection be withdrawn.

II. Canceled Claims

As identified above, claims 5-6, 10, 99-101, and 129 have been canceled from the application through this response without prejudice, waiver, or disclaimer. Applicant reserves the right to present these canceled claims, or variants thereof, in continuing applications to be filed subsequently.

III. New Claims

As identified above, claims 131-133 have been added into the application through this response. For at least the reason that claims 131-133 depend from allowable independent claims, Applicant respectfully submits that these new claims are allowable as a matter of law and respectfully request that these claims be held to be allowable.

CONCLUSION

Applicant respectfully requests that all outstanding objections and rejections be withdrawn and that this application and presently pending claims be allowed to issue. Any statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions. If the Examiner has any questions or comments regarding Applicant's response, the Examiner is encouraged to telephone Applicant's undersigned counsel.

Respectfully submitted,

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